

AD

2005 03/15 17:19 FAX 858 720 5125

MOFO JG10 Rec'd PCT/PTO 15 MAR 2005

PCT

001/011

AKIMA-DTSV 16 MAR 2005

MORRISON | FOERSTER3811 VALLEY CENTRE DRIVE
SUITE 500
SAN DIEGO
CALIFORNIA 92130-2332TELEPHONE: 858.720.5100
FACSIMILE: 858.720.5125

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY,
TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

To:	FACSIMILE:	TELEPHONE:
U.S. Patent and Trademark Office Filing Receipt Corrections Office of Initial Patent Examination	(703) 746-9195	(703) 308-1202

FROM: Gregory P. Einhorn - Reg No. 38,440 DATE: March 15, 2005

Number of pages with cover page: 11	Original or hard copy to follow if this box is checked <input type="checkbox"/> .
-------------------------------------	---

Preparer of this slip has confirmed that facsimile number given is correct: 10924 / NXG4

If you do not receive all pages, please call (858) 314-5435 as soon as possible.

CAUTION - CONFIDENTIAL

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (858) 314-5435 and send the original transmission to us by return mail at the address below.

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

Comments:

Attorney Docket: 564462003801
 Group Art Unit: 1637
 Examiner: Not Yet Assigned
 Serial No.: 10/501,592
 Filing Date: Int'l - January 14, 2003
 Inventor(s): Gerhard FREY et al.
 Title: METHODS FOR MAKING POLYNUCLEOTIDES AND
 PURIFYING DOUBLE-STRANDED POLYNUCLEOTIDES

Papers attached:

1. Transmittal (1 page)
2. Request for Corrected Filing Receipt (2 pages)
3. Copy of Filing Receipt w/ handwritten correction indicated (2 pages)
4. Copy of Application Data Sheet (3 pages)
5. Copy of executed Oath/Declaration (2 pages)

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
 NORM GREEN AT (858) 314-5435 AS SOON AS POSSIBLE.**

SD-249653

PTO/SB/21 (09-04)


Approved for use through 07/31/2008. OMB 0851-0031

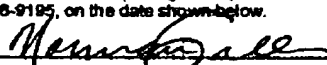
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/501,592
		Filing Date	Int'l. - January 14, 2003
		First Named Inventor	Gerhard FREY
		Art Unit	1637
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	11	Attorney Docket Number	564462003801

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Certificate of Corrected Filing Receipt (2 pages) Copy of Filing Receipt w/ Correction indicated (2 pages) Copy of Application Data Sheet (3 pages) Copy of Executed Oath/Declaration (2 pages) Fax Cover Sheet (1 page)
Remarks Customer No. 45975		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Einhorn		
Date	March 15, 2005	Reg. No.	38,440

I hereby certify that this correspondence is being facsimile transmitted to Filing Receipt Corrections, Office of Initial Patent Examination, the Patent and Trademark Office, facsimile no. (703) 746-9195, on the date shown below.	
Date: March 15, 2005	Signature:  (Norman Green)

sd-249647

I hereby certify that this correspondence is being facsimile transmitted to Filing Receipt Corrections, Office of Initial Patent Examination, the Patent and Trademark Office, facsimile no. (703) 748-9195, on the date shown below.

Dated: March 15, 2005

Signature: Norman Green

(Norman Green)

Docket No.: 564462003801 /
066US1 / D1632-2WUS
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gerhard FREY et al.

Application No.: 10/501,592

Confirmation No.: 2654

Filed: Int'l. - January 14, 2003

Art Unit: 1637

For: METHODS FOR MAKING
POLYNUCLEOTIDES AND PURIFYING
DOUBLE-STRANDED POLYNUCLEOTIDES

Examiner: Not Yet Assigned

REQUEST FOR CORRECTED FILING RECEIPT

Filing Receipt Corrections
Office of Initial Patent Examination
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto with handwritten correction, has an error in the "Domestic Priority data as claimed by applicant".

The following was omitted by the Patent Office and should be added where indicated on the copy of the Filing Receipt:

--which claims benefit of 10/077,474 02/14/2002--

sd-249575

Application No.: 10/501,592

2

Docket No.: 564462003801

Please change "which claims benefit of 60/348,609 01/14/2002" to read:

--and claims benefit of 60/348,609 01/14/2002--

To support the above assertion, Applicants attach a copy of the Application Data Sheet as filed with the subject application and a copy of the Oath/Declaration as filed with the Response to Notification of Missing Requirements, both of which cite U.S.S.N. 10/077,474, filed February 14, 2005, under Domestic Priority.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: March 15, 2005

Respectfully submitted,

By 

Gregory P. Einhorn

Registration No.: 38,440

MORRISON & FOERSTER LLP

3811 Valley Centre Drive

Suite 500

San Diego, California 92130-2332

(858) 720-5133

sd-249575

Page 1 of 2

RECEIVED

MAR 14 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

MORRISON & FOERSTER
 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1458
 Alexandria, Virginia 22313-1458
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FILE FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/501,592	01/24/2005	1637	3788	564462003801	8	292	13

Cope

CONFIRMATION NO. 2654

45975

DIVERSA C/O MOFO S.D.
 3811 VALLEY CENTER DRIVE, SUITE 500
 SAN DIEGO, CA 92130

FILING RECEIPT

* No Docketing Required	OC000060015307914*
Reviewing by Docketing	
Initials	<i>CH</i>

Date Mailed: 03/03/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-748-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gerhard Frey, San Diego, CA;
 Jay M. Short, San Diego, CA;
 Lilian Parra-Gessert, San Diego, CA;

Power of Attorney:

Gregory Einhorn-38440

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US03/01189 01/14/2003
 and ~~which~~ claims benefit of 60/348,809 01/14/2002
 and claims benefit of 60/348,761 01/14/2002
 and claims benefit of 60/348,764 01/14/2002

Foreign Applications

which claims benefit of 10/077,474 02/14/2002

Projected Publication Date: 06/09/2005

Non-Publication Request: No

Early Publication Request: No

COPY

**** SMALL ENTITY ******Title**

Methods for making polynucleotides and purifying double-stranded polynucleotides

Preliminary Class

435

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

COPY

Application Data Sheet**Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	N/A
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	METHODS FOR MAKING POLYNUCLEOTIDES AND PURIFYING DOUBLE-STRANDED POLYNUCLEOTIDES
Attorney Docket Number::	564462003801
Request for Early Publication?::	No
Request for Non-Publication?::	No
Small Entity?::	Yes
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

Applicant Information

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	Gerhard
Family Name::	FREY
City of Residence::	San Diego
State or Province of Residence::	CA
Country of Residence::	US
Street of mailing address::	13768 Via Cima Bella
City of mailing address::	San Diego
State or Province of mailing address::	CA

COPY

Applicant Authority Type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Jay
Middle Name:: M.
Family Name:: SHORT
City of Residence:: Rancho Santa Fe
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 6801 Paseo Delicias
City of mailing address:: Rancho Santa Fe
State or Province of mailing address:: CA
Postal or Zip Code of mailing address:: 92067-7214

Applicant Authority Type:: Inventor
Primary Citizenship Country:: United States
Status:: Full Capacity
Given Name:: Lilian
Family Name:: PARRA-GESSERT
City of Residence:: San Diego
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 7023 Whipple Avenue
City of mailing address:: San Diego
State or Province of mailing address:: CA
Postal or Zip Code of mailing address:: 92122

Correspondence Information

Correspondence Customer Number:: 25225

Representative Information

COPY

Representative Customer Number:: 25225

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application	National Stage of	PCT/US03/01189	1/14/03
PCT/US/03/01189	An application claiming the benefit under 35 USC 120	10/077,474	2/14/02
PCT/US/03/01189	An application claiming the benefit under 35 USC 119(e)	60/348,609	1/14/02
PCT/US03/01189	An application claiming the benefit under 35 USC 119(e)	60/348,761	1/14/02
PCT/US03/01189	An application claiming the benefit under 35 USC 119(e)	60/348,764	1/14/02

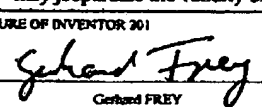
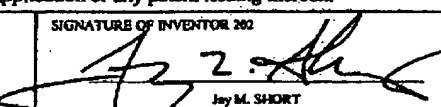

COPY

PATENT
Docket No. 564462003801 / U.S. Application no. 10/501,592

DECLARATION FOR PATENT APPLICATION (Includes Reference to PCT International Applications)			ATTORNEY'S DOCKET NUMBER 564462003801
<p>As a below named inventor I hereby declare that:</p> <p>My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:</p> <p>METHODS FOR MAKING POLYNUCLEOTIDES AND PURIFYING DOUBLE-STRANDED POLYNUCLEOTIDES</p> <p>the specification of which (check only one item below):</p> <p><input type="checkbox"/> is attached hereto.</p> <p><input type="checkbox"/> was filed as United States application Serial No. on , and was amended on (if applicable).</p> <p><input checked="" type="checkbox"/> was filed as PCT international application Number PCT/US03/01189 on January 14, 2003 and was amended under PCT Article 19 on (if applicable).</p> <p>I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37 Code of Federal Regulations § 1.56(a) and (b).</p> <p>I hereby claim foreign priority benefits under Title 35 United States Code § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:</p>			
PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119:			
COUNTRY (if PCT indicate "PCT")	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. § 119
USA	60/348,609	01/14/2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
USA	60/348,761	01/14/2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
USA	60/348,764	01/14/2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

COPY

PATENT
Docket No. 564462003801 / U.S. Application no. 10/501,592

Declaration for Patent Application (Continued) (Includes Reference to PCT International Applications)				ATTORNEY'S DOCKET NUMBER 564462003801	
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:					
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120:					
U.S. APPLICATIONS			STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
10/077,474	02/14/2002		X		
PCT APPLICATIONS DESIGNATING THE U.S.			STATUS (Check one)		
PCT APPLICATION NUMBER	PCT FILING DATE	U.S. SERIAL NUMBER ASSIGNED (if any)	PATENTED	PENDING	ABANDONED
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)					
Send correspondence to: Gregory P. Einhorn Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500 San Diego, CA 92130 (858) 720-5133				Customer No. 45975 Direct telephone calls to: Gregory P. Einhorn at (858) 720-5133	
201	FULL NAME OF INVENTOR RESIDENCE & CITIZENSHIP POST OFFICE ADDRESS	FAMILY NAME CITY POST OFFICE ADDRESS	FIRST GIVEN NAME STATE OR FOREIGN COUNTRY CITY	SECOND GIVEN NAME COUNTRY OF CITIZENSHIP STATE & ZIP CODE/COUNTRY	
		FREY San Diego 13768 Via Cima Bella	Gerhard California San Diego		
202	FULL NAME OF INVENTOR RESIDENCE & CITIZENSHIP POST OFFICE ADDRESS	FAMILY NAME CITY POST OFFICE ADDRESS	FIRST GIVEN NAME STATE OR FOREIGN COUNTRY CITY	SECOND GIVEN NAME COUNTRY OF CITIZENSHIP STATE & ZIP CODE/COUNTRY	
		SHORT San Diego 6801 Paseo Delicias	Jay California San Diego	M. USA California 92067	
203	FULL NAME OF INVENTOR RESIDENCE & CITIZENSHIP POST OFFICE ADDRESS	FAMILY NAME CITY POST OFFICE ADDRESS	FIRST GIVEN NAME STATE OR FOREIGN COUNTRY CITY	SECOND GIVEN NAME COUNTRY OF CITIZENSHIP STATE & ZIP CODE/COUNTRY	
		PARA-GESSERT San Diego 7023 Whipple Avenue	Lilian California San Diego		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.					
SIGNATURE OF INVENTOR 201		SIGNATURE OF INVENTOR 202		SIGNATURE OF INVENTOR 203	
 Gerhard FREY		 Jay M. SHORT		 Lilian PARA-GESSERT	
DATE		DATE		DATE	
01-17-05		Jan 17, 2005		Jan. 17, 2005	

COPY